

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8592 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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ROHINI OIL MILLS

Versus

GEB

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Appearance:

MR PB MAJMUDAR for Petitioner  
MR TUSHAR MEHTA for the respondents.

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CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 08/11/96

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. Tushar Mehta, learned counsel for the respondents.

2. Heard. The petitioner has challenged the order passed by the Appellate Committee of the respondent Board. It appears from the record that certain contentions raised by the petitioner-appellant are not considered by the Appellate Committee like deduction of

the staggering days, etc. The matter is, therefore, remanded to the Appellate Committee for its proper consideration and decision. On the petitioner depositing an amount of Rs. 1 lac with the respondent-Board on or before 1st of December, 1996, it is directed that the Appellate Committee will decide the appeal filed by the petitioner-appellant on merits and in accordance with law after giving the petitioner-appellant an opportunity of being heard and permitting the petitioner-appellant to produce whatever documentary evidence it may want to produce. With these directions the present petition is partly allowed and the impugned order of the Appellate Committee is quashed.

Rule made absolute accordingly. No order as to cost. D.S.P. today.

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